

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

JANE DOE,

Plaintiff,

v.

THE CITY OF GAULEY BRIDGE and
LARRY ALLEN CLAY, JR.,
individually as a member of the Gauley
Bridge Police Department,

Defendants.

Civil Action No. 2:21-cv-00491
The Honorable Chief Judge Johnston

PLAINTIFF’S MOTION FOR NEW SCHEDULING ORDER

NOW COMES, Plaintiff Jane Doe (“Plaintiff”), by counsel, and moves this Court for new deadlines to conduct a Parties’ Planning Meeting and new Scheduling Order pursuant to Rule 26(f) of the *Federal Rules of Civil Procedure* in this matter.

On August 31, 2023, the United States Court of Appeals for the Fourth Circuit dismissed Plaintiff’s appeal on this Court’s August 22, 2022 Order granting the City of Gauley Bridge’s Motion to Dismiss and the City of Gauley Bridge’s Rule 54(b) Motion due to lack of jurisdiction. The 4th Circuit’s Mandate took effect on September 22, 2023.

Plaintiff hereby moves this Honorable Court for new deadlines in order to further prosecute this case in the District Court in light of the appellate court’s lack of jurisdiction.

**JANE DOE,
By Counsel**

/s/ Stephen P. New
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